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Attorney for Plaintiff CHRIS BRAGGS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHRIS BRAGGS,

Plaintiff,

v.

U.S. SECURITY ASSOCIATES, INC., a
corporation doing business in California;
and DOES 1 through 10,

Defendant.

Case No. CV 10 2031 - JSW

**STIPULATED REQUEST FOR
ORDER CONTINUING THE
DEADLINE TO PARTICIPATE IN AN
EARLY NEUTRAL EVALUATION
~~PROPOSED~~ ORDER**

Courtroom 11, 19th Floor
Judge: Hon. Jeffrey S. White

STIPULATION

Pursuant to Local Rules 5-4, 6-2 and 7-12, Plaintiff Chris Braggs ("Plaintiff") and Defendant U.S. Security Associates, Inc. ("Defendant"), stipulate and respectfully request that the Court approve this stipulated request and grant a thirty-day continuance of the January 27, 2011 early neutral evaluation deadline until March 1, 2011, the first Court day after the expiration of the thirty-day extension.

Counsel for both parties met and conferred and determined that due to the need to complete outstanding discovery, including electronic discovery and Plaintiff's deposition, they will not be prepared to have a meaningful early neutral evaluation before the January 27, 2011 deadline. The parties further determined that they will be able to complete the outstanding necessary discovery and complete the early neutral evaluation by March 1, 2011.

In compliance with Local Rule 6-2, the Plaintiff and Defendant respectfully state:

1. On October 27, 2010, Defendant noticed the deposition of Plaintiff for December 21, 2010.

2. As the December 21, 2010 deposition approached, the Parties determined that before Plaintiff's deposition could go forward, they needed to complete the exchange of documents and a forensic examination of Plaintiff's laptop computer.

3. The Parties agreed to take Plaintiff's deposition off-calendar until a date shortly after completion of the necessary written discovery.

4. The Parties have met and conferred and anticipate that they will be able to complete the exchange of the necessary written discovery, complete the forensic examination of Plaintiff's laptop computer and complete Plaintiff's deposition within thirty days from the filing of this Stipulation.

1 5. The Parties have met and conferred and determined that it is necessary
2 to continue the early neutral evaluation deadline to complete the outstanding
3 discovery, allow Defendant the opportunity to take Plaintiff's deposition and give
4 both parties time to analyze Plaintiff's testimony and prepare for the early neutral
5 evaluation.

6 6. The Parties agree that an extension of the early neutral evaluation
7 deadline until March 1, 2011, is appropriate.

8 7. Should early neutral evaluation not result in resolving the case, the
9 Parties agree that continuing the early neutral evaluation deadline will not affect the
10 scheduled trial date.

11 8. In compliance with Local Rule 6-2, a Declaration of Defendant's
12 counsel is attached in support of this Stipulated Request for Order Changing Time.

13
14 IT IS HEREBY STIPULATED AND RESPECTFULLY
15 REQUESTED THAT this Court continue the January 27, 2011 early neutral
16 evaluation deadline to March 1, 2011,.

17
18 Respectfully submitted
19 Dated: January 13, 2011

20 LAW OFFICES OF JOHN OTA

21
22 By /s/ John Ota

23 JOHN OTA

24 Attorneys for Plaintiff
25 CHRIS BRAGGS
26
27
28

1 Respectfully submitted
2 Dated: January 13, 2011

3 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

4
5 By /s/ Morgan Forsey
6 OTIS McGEE, JR.
7 MORGAN P. FORSEY

8 Attorneys for
9 Defendant U.S. Security Associates, Inc.

10
11 **SIGNATURE ATTESTATION**

12
13 As the attorney e-filing this document, I hereby attest that opposing
14 counsel (Law Offices of John Ota) has concurred in this filing.

15
16
17
18 Respectfully submitted:

19 DATED: January 13, 2011

20 SHEPPARD MULLIN RICHTER & HAMPTON LLP

21
22 By /s/ Morgan Forsey
23 OTIS McGEE, JR.
24 MORGAN P. FORSEY

25 Attorneys for
26 Defendant U.S. Security Associates, Inc.

ORDER

In accordance with the above Stipulation of the parties which is incorporated herein by reference, and with good cause appearing therefor, the Court orders as follows:

IT IS HEREBY ORDERED THAT the January 27, 2011 early neutral evaluation deadline is extended until March 1, 2011

IT IS SO ORDERED.

Dated: January 14, 2011


Honorable Jeffrey S. White
United States District Judge

**** END OF ORDER ****